

# FEDERAL REGISTER

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Washington, Saturday, November 19, 1938

## The President

### EXECUTIVE ORDER

#### CHANGING THE NAME OF THE BIG LAKE RESERVATION TO BIG LAKE MIGRATORY BIRD REFUGE, AND ADDING CERTAIN LANDS THERETO

##### ARKANSAS

By virtue of and pursuant to the authority vested in me as President of the United States, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered as follows:

1. The name of the Big Lake Reservation, in the State of Arkansas, established by Executive Order No. 2230 of August 2, 1915, is hereby changed to Big Lake Migratory Bird Refuge.

2. Subject to valid existing rights, the following-described lands, acquired by the United States, are hereby included in and reserved as part of such refuge:

##### FIFTH PRINCIPAL MERIDIAN

T. 14 N., R. 9 E.,  
sec. 2, lots 5b, 6b, 8b, and 11b, and those parts of lots 5a, 6a, 8a, and 11a lying north and west of the southeasterly right-of-way boundary for improvement No. 28 of Drainage District No. 17;

sec. 10, lots 4 and 12b, and that part of lot 12a lying north and west of the southeasterly right-of-way boundary for improvement No. 28 of Drainage District No. 17;

T. 15 N., R. 9 E.,  
sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$ b, SE $\frac{1}{4}$ NE $\frac{1}{4}$ b, S $\frac{1}{2}$ E $\frac{1}{2}$ -SE $\frac{1}{4}$ b, and those parts of N $\frac{1}{2}$ NE $\frac{1}{4}$ a, SE $\frac{1}{4}$ NE $\frac{1}{4}$ a, and S $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ a lying south and west of the north and east right-of-way boundary for improvement No. 28 of Drainage District No. 17;

sec. 17, those parts of lots 3, 4, and 7 lying east and north of the east and north right-of-way boundary for Drainage District No. 16;

sec. 23, that part of E $\frac{1}{2}$ NE $\frac{1}{4}$  (including lot b) lying west of the east right-of-way boundary for improvement No. 28 of Drainage District No. 17;

sec. 28, lots 1 to 4, inclusive, and that part of S $\frac{1}{2}$ NW $\frac{1}{4}$  lying east of the east right-of-way boundary for Drainage District No. 16;

sec. 33, lot 5;

sec. 35, SE $\frac{1}{4}$ b and that part of SE $\frac{1}{4}$ a lying northwest of the southeasterly right-of-way boundary for improvement No. 28 of Drainage District No. 17;

T. 16 N., R. 9 E.,  
sec. 27, NE $\frac{1}{4}$ b and those parts of NE $\frac{1}{4}$ a and SE $\frac{1}{4}$  lying west of the east right-of-way boundary for improvement No. 28 of Drainage District No. 17.  
AREA 442.27 acres, more or less.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
November 17, 1938.

[No. 8008]

[F. R. Doc. 38-3474; Filed, November 18, 1938;  
10:06 a. m.]

## Rules, Regulations, Orders

### TITLE 7—AGRICULTURE

#### AGRICULTURAL ADJUSTMENT ADMINISTRATION

##### AMENDMENT TO DETERMINATION OF PROPORTIONATE SHARES FOR SUGARCANE PRODUCERS IN PUERTO RICO FOR CROP YEARS 1938, 1939, 1940

NOVEMBER 18, 1938.

Whereas, Section 302 of the Sugar Act of 1937 provides in part as follows:

(a) The amount of sugar or liquid sugar with respect to which payment may be made shall be the amount of sugar or liquid sugar commercially recoverable, as determined by the Secretary, from the sugar beets or sugarcane grown on the farm and marketed (or processed by the producer) not in excess of the proportionate share for the farm, as determined by the Secretary, of the quantity of sugar beets or sugarcane for the extraction of sugar or liquid sugar required to be processed to enable the producing area in which the crop of sugar beets or sugarcane is grown to meet the quota (and provide a normal carry-over inventory) estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

(b) In determining the proportionate shares with respect to a farm, the Secretary may take into consideration the past production on the farm of sugar beets and sugarcane marketed (or processed) for the extraction of sugar or liquid sugar and the ability to produce such sugar beets or sugarcane, and the Secretary shall, insofar as practicable, protect the interests of new pro-

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ducers and small producers and the interests of producers who are cash tenants, sharetenants, adherent planters, or share-croppers.

Whereas, subsection (c) of section 301 of said act provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

(c) That there shall not have been marketed (or processed) an amount (in terms of planted acreage, weight, or recoverable sugar content) of sugar beets or sugarcane grown on the farm and used for the production of sugar or liquid sugar to be marketed in, or so as to compete with or otherwise directly affect interstate or foreign commerce, in excess of the proportionate share for the farm, as determined by the Secretary pursuant to the provisions of section 302, of the total quantity of sugar beets or sugarcane required to be processed to enable the area in which such sugar beets or sugarcane are produced to meet the quota (and provide a normal carryover inventory) as estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

Now, therefore, pursuant to the foregoing sections of the said act, I, M. L. Wilson, Acting Secretary of Agriculture, do hereby determine:

A. That the "Determination of Proportionate Shares for Sugarcane Producers in Puerto Rico for the Crop Years 1938 and 1939, Pursuant to the Sugar Act of 1937", issued January 11, 1938,<sup>1</sup>

be, and the same is hereby, amended as follows:

1. The 1939 proportionate share shall be calculated by multiplying the 1938 base (as defined in the said determination, or as may be established pursuant to the provisions of 2 and 3 below) of each grower by a fraction whose numerator shall be 845,739 and whose denominator shall be the sum of all the aforesaid 1938 bases.

2. Any grower who, under the said determination, received a 1938 proportionate share of less than 15 tons of sugar, raw value, shall be entitled, upon proper application, to increase his 1938 base to an amount equal to his 1938 production, as determined by the Secretary of Agriculture, but in no event shall such base be more than 15 tons of sugar, raw value.

3. Those growers who would have been entitled to an allotment under the 1935-36 production adjustment program if they had been producing sugar in those years, and who have sugarcane under cultivation in 1939, shall, upon proper application, be entitled to a 1938 base equal to:

(i) 33 percent of the best option available to such growers under the said 1935-36 production adjustment program, or

(ii) the lesser of either:

(a) 15 tons of sugar, raw value, or  
(b) the number of short tons of sugar, raw value, obtained by multiplying the number of acres of sugarcane growing in 1939 by 3.

The option herein made available to such growers shall lapse if no part of the 1940 proportionate share resulting therefrom is filled during the crop year 1940.

B. That the proportionate shares for sugarcane producers in Puerto Rico for the crop year 1940 shall be established on the following bases:

#### I

1. For a producer for whom a 1939 proportionate share is established, pursuant to the provisions of the "Determination of Proportionate Shares for Sugarcane Producers in Puerto Rico for the Crop Years 1938 and 1939, Pursuant to the Sugar Act of 1937", issued January 11, 1938, as amended, such proportionate share shall constitute his 1939 base and his proportionate share for the 1940 crop year shall be calculated in terms of short tons of sugar, raw value, by multiplying such 1939 base by a fraction whose numerator shall be the sum of the initial sugar quotas established for Puerto Rico for the calendar year 1940, pursuant to sections 201 and 203 of the said act, plus (or minus) such adjustment as may be required to provide a normal carryover inventory for Puerto Rico, pursuant to section 302 (a) of the

said act, and whose denominator shall be the total of all such 1939 bases, plus the total of the 1939 bases determined for new growers<sup>1</sup> as provided in 2 and 3 below.

A producer for whom a 1939 proportionate share is established as aforesaid, and who grows sugarcane on land covered by a 1939 proportionate share but from which no sugarcane was harvested during any one of the crop years 1931, 1932, 1934, or any subsequent crop year, may be considered as a new grower for 1940 with respect to such new production, and as such shall be entitled to increase his 1939 base in accordance with the provisions of 2 and 3 below.

2. For a producer for whom a 1939 proportionate share is not established as aforesaid, and whose 1940 production, as estimated by the Secretary of Agriculture, is 15 tons of sugar, raw value, or less, such production shall constitute his 1939 base, and the 1940 proportionate share of such producer shall be calculated, in terms of short tons of sugar, raw value, by adjusting his 1939 base in the manner specified in 1 above.

3. For a producer for whom a 1939 proportionate share is not established as aforesaid, and whose current production, as estimated by the Secretary of Agriculture, is more than 15 tons of sugar, raw value, the 1940 proportionate share shall be calculated in the manner specified in 1 above from a base determined as follows:

Fifteen tons, plus an amount determined by multiplying the first ton of such estimated production in excess of 15 tons by 98 per centum, and thereafter by multiplying each successive ton by a percentage figure which shall be progressively reduced by 2 per centum for every such ton.

#### II

1. In the event that a producer wishes to be considered as a new grower for 1940, application must be made at such time and in such manner as may be prescribed by the Secretary of Agriculture.

2. In the event that a proportionate share for 1940, established in accordance with the foregoing provisions of this determination, is not filled, the unfilled portion thereof shall be prorated, on the basis of the proportionate shares then in effect, among all of the producers within the same mill area who are able to supply such unfilled portion.

In addition to the foregoing, the following conditions shall be met:

1. That no change shall have been made in the leasing or cropping agree-

<sup>1</sup>A new grower (producer) for the 1940 crop year shall be the person who is the legal owner of the sugarcane crop grown on land for which a 1939 proportionate share was not established pursuant to the provisions of the "Determination of Proportionate Shares for Sugarcane Producers in Puerto Rico for the Crop Years 1938 and 1939, Pursuant to the Sugar Act of 1937", issued January 11, 1938.

ments for the purpose of, or which shall have the effect of, diverting to any producer any payment to which tenants or share-croppers would be entitled if the 1939 leasing or cropping agreements were in effect.

2. That there shall have been no interference by any producer with contracts heretofore entered into by tenants or share-croppers for the sale of their sugarcane.

## IV

The Chief, or the Acting Chief, of the Sugar Division of the Department of Agriculture, and the Officer in Charge of the San Juan office of the Agricultural Adjustment Administration, or the Acting Officer in Charge thereof, are hereby designated to act, jointly or severally, as agents of the Secretary of Agriculture in administering the provisions of this determination.

Done at Washington, D. C., this 18th day of November 1938. Witness my hand and the seal of the Department of Agriculture.

[SEAL] M. L. WILSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 38-3476; Filed, November 18, 1938; 12:37 p. m.]

## TITLE 25—INDIANS

## OFFICE OF INDIAN AFFAIRS

## SHASTA AND UPPER KLAMATH INDIAN RESERVATION, CALIFORNIA

OCTOBER 18, 1938.

By virtue of authority contained in Section 7 of the Indian Reorganization Act of June 18, 1934 (48 Stat. L., 984), the lands described below, acquired by purchase under the provisions of Section 5 of that Act, for the use and benefit of such Shasta and Upper Klamath Indians eligible to participate in the benefits of the Act of June 18, 1934, supra, as shall be designated by the Secretary of the Interior, are hereby proclaimed to be an Indian reservation:

NW¼, W¼SW¼ Sec. 2, E¼SE¼ Sec. 3, and a fractional portion of the NE¼NE¼ Sec. 3 beginning at the southeast corner of the NE¼NE¼ Sec. 3; thence north 68 rods; thence west 12 rods; thence southwest to a point 30 rods due west from center of the east line of said NE¼NE¼ Sec. 3; thence southeast to a point 12 rods due west of the point of beginning; thence east to point of beginning, all in T. 43 N., R. 10 W.

All that portion of SE¼NE¼ Sec. 3 described as: beginning at the southeast corner of the SE¼NE¼ Sec. 3; thence north along the east line of said quarter quarter section 80 rods to the northeast corner thereof; thence west along the north line of said quarter quarter section 70 rods to a point; thence south 8 rods to a point; thence east 2 rods to a point; thence south 72 rods to a point in the south line of said quarter quarter section; thence east along said south line 68 rods to point of beginning, in T. 43 N., R. 10 W., M. D. M.

All of said lands being within Siskiyou County, California, containing 364 acres, more or less.

HARRY SLATTERY,  
Acting Secretary of the Interior.

[F. R. Doc. 38-3475; Filed, November 18, 1938; 10:10 a. m.]

## Notices

## SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 15th day of November 1938.

[File No. 52-4—Public Utility Holding Company Act of 1935 Sections 11 (f) and 11 (g)]

IN THE MATTER OF DAVID C. PATTERSON, MAX J. MAUERMANN AND DAVID COPLAND, AS A COMMITTEE FOR HOLDERS OF FIRST AND REFUNDING MORTGAGE 6% BONDS, SERIES A, DUE DECEMBER 1, 1954, OF WEST OHIO GAS COMPANY

## ORDER OF THE COMMISSION

The above-named Bondholders' Committee having submitted a plan of reorganization of West Ohio Gas Company, a subsidiary of a registered holding company, to the Commission pursuant to Section 11 (f) of the Public Utility Holding Company Act of 1935 for its approval prior to the submission thereof to the Court having jurisdiction of the reorganization of West Ohio Gas Company under Section 77B of the Federal Bankruptcy Act; and

The Commission having by order made October 14, 1938, approved said plan of reorganization, as subsequently amended, for the purpose of submission thereof to the Court as aforesaid; and

Said Committee having on November 15, 1938, filed an amendment to its applications under said Section 11 (f) and under Section 11 (g) of said Act in respect of said Plan, as amended, consisting of revised balance sheet and revised pro forma balance sheet of West Ohio Gas Company, both as at June 30, 1938, copies of which are hereto annexed; and

The Commission having reviewed said revised balance sheet and revised pro forma balance sheet and having considered the effect thereof upon its findings and opinion on the Plan, as amended (Release No. 1284), and having determined that they do not affect its said findings and opinion;

It is ordered, That said amendment be filed and made a part of the record herein; and

<sup>1</sup> Filed as part of the original document with the Division of the Federal Register, The National Archives.

It is further ordered, That said order of the Commission made herein on October 14, 1938,<sup>2</sup> approving the Plan, as amended, for the purposes of Section 11 (f) of said Act, stand as the order of the Commission in this matter, as if said revised balance sheet and revised pro forma balance sheet had been filed with the Commission before the entry of said order.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 38-3485; Filed, November 18, 1938; 12:51 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 17th day of November 1938.

[File No. 1-2416]

IN THE MATTER OF APPLICATION BY NEW YORK STOCK EXCHANGE TO STRIKE FROM LISTING AND REGISTRATION THE 6½% EXTERNAL SINKING FUND GOLD BONDS OF 1930, OF PROVINCE OF BUENOS AIRES (ARGENTINE REPUBLIC)

## ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

The New York Stock Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 6½% External Sinking Fund Gold Bonds of 1930, due August 1, 1961 (Stamped as assenting to the Loan Readjustment Plan of 1933) of Province of Buenos Aires (Argentine Republic); and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 A. M. on Tuesday, December 13, 1938, in Room 1101, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue, N. W., Washington, D. C., and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to

<sup>2</sup> 3 F. R. 2538.

perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 38-3479; Filed, November 18, 1938;  
12:49 p. m.]

*United States of America—Before the  
Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its offices in the City of Washington, D. C., on the 17th day of November, A. D. 1938.

[File No. 31-154]

**IN THE MATTER OF ILLINOIS IOWA POWER  
COMPANY**

**ORDER DESIGNATING NEW TRIAL EXAMINER**

The application of the Illinois Iowa Power Company pursuant to Section 3 (a) (2) of the Public Utility Holding Company Act of 1935, having been regularly set for hearing on October 18, 1938 by an Order of the Commission dated the 22d day of September, 1938, designating Richard Townsend as Trial Examiner and the said Richard Townsend having been unable to preside at said hearing on said date and the Commission having designated Charles S. Moore as Trial Examiner and said hearing having been continued from time to time at the request of counsel for the applicant by Order of Trial Examiner Charles S. Moore and now being set for hearing on November 28, 1938, and it appearing to the Commission that Trial Examiner Charles S. Moore will be unable to preside at said hearing; it is hereby ordered that Richard Townsend preside at the hearing in the above matter and he is hereby authorized to exercise all powers granted to the Commission under Section 18 (c) of said Act and to a Trial Examiner under the Commission's rules of practice to continue or postpone said hearing from time to time.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 38-3484; Filed, November 18, 1938;  
12:51 p. m.]

*United States of America—Before the  
Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 18th day of November, A. D. 1938.

[File Nos. 32-106 and 46-114]

**IN THE MATTER OF WISCONSIN ELECTRIC  
POWER COMPANY (FORMERLY THE MIL-  
WAUKEE ELECTRIC RAILWAY AND LIGHT  
COMPANY)**

**NOTICE OF AND ORDER FOR HEARING**

The issue and sale by Wisconsin Electric Power Company of \$55,000,000 in principal amount of First Mortgage Bonds, 3½% Series due 1968, and of \$14,500,000 in principal amount of 3.4%

unsecured promissory notes, maturing serially from October 28, 1939 to October 28, 1948, having been expressly authorized by the Public Service Commission of Wisconsin, and having been exempted from the provisions of Section 6 (a) of the Public Utility Holding Company Act of 1935 by the order of this Commission entered on the 24th day of October, 1938, after public hearings on the application of said Company, as amended, for such exemption filed pursuant to the provisions of Section 6 (b) of said Act, said order having expressly provided that such exemption of such issue and sale of securities was subject to the condition, among others, set forth in said order that no fee shall be paid to Dillon, Read & Company in connection with the issue and sale of the unsecured promissory notes pending further order of this Commission, and this Commission, by said order, having expressly reserved jurisdiction to determine, at a later date, whether the fee to be paid to Dillon, Read & Company, in connection with the issue and sale of the unsecured promissory notes, is or is not reasonable;

It is ordered, That a hearing on the matter of the payment by Wisconsin Electric Power Company of any fee to Dillon, Read & Company in connection with the issue and sale of said notes and the reasonableness of any such fee be held on November 25, 1938, at 10 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under Section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to said Wisconsin Electric Power Company and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before November 23, 1938.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 38-3478; Filed, November 18, 1938;  
12:49 p. m.]

*United States of America—Before the  
Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its

office in the City of Washington, D. C., and the 18th day of November, A. D. 1938.

[Files Nos. 32-117 and 46-118]

**IN THE MATTER OF CENTRAL ILLINOIS PUBLIC  
SERVICE COMPANY, HALSEY-STUART  
AND COMPANY**

**NOTICE OF AND ORDER FOR HEARING**

Applications pursuant to sections 6 (b) and 10 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named parties;

It is ordered, That a hearing on such matter be held on December 5, 1938, at 10 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before November 30, 1938.

The matter concerned herewith is in regard to the issuance and sale of \$38,000,000 principal amount of First Mortgage Bonds, Series A, 3¾%, due December 1, 1968 and \$10,000,000 principal amount of Serial Debentures 3½%-4%, due serially December 1, 1939 to December 1, 1948 by Central Illinois Public Service Company, a subsidiary of The Middle West Corporation a registered holding company. The net proceeds from the sale of said bonds and debentures will be applied by the applicant, Central Illinois Public Service Company, with other funds provided by the applicant out of its treasury, to the redemption of the following bonds of the applicant, constituting the entire funded debt:

\$7,160,000 of First Mortgage  
and Refunding 5% Gold  
Bonds, Series E, due May 1,  
1956, of the applicant, pro-  
posed to be called at 103  
and accrued interest, re-  
quiring, exclusive of inter-  
est.....

\$7,374,800.00

<sup>1</sup> 3 F. R. 2294.

\$26,260,500 of First Mortgage Gold Bonds, Series F, 4½%, due December 1, 1937, of the applicant, proposed to be called at 103 and accrued interest, requiring, exclusive of interest.....	\$27,048,315.00
\$12,273,900 of First Mortgage Gold Bonds, Series G, 5%, due November 1, 1938, of the applicant, proposed to be called at 102½ and accrued interest, requiring, exclusive of interest.....	12,580,747.50
\$2,536,000 of First Mortgage Gold Bonds, Series H, 4½%, due June 1, 1931, of the applicant, proposed to be called at 102½ and accrued interest, requiring, exclusive of interest.....	2,599,400.00
Total.....	\$49,603,262.50

Halsey-Stuart and Company has filed an application under section 10 of the Act for the approval of the acquisition of securities. Halsey-Stuart and Company, an affiliate of the applicant, Central Illinois Public Service Company, proposes to act as principal underwriter in the aforementioned issuance and sale of bonds and serial debentures by Central Illinois Public Service Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 38-3483; Filed, November 18, 1938;  
12:50 p. m.]

#### United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 18th day of November, A. D. 1938.

[Files Nos. 32-119, 43-162]

#### IN THE MATTER OF GREEN MOUNTAIN POWER CORPORATION, NEW ENGLAND POWER ASSOCIATION

##### NOTICE OF AND ORDER FOR HEARING

Applications pursuant to Section 6 (b) and Rule U-12D-1 and a declaration pursuant to Section 7 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named parties;

It is ordered, That a hearing on such matter be held on December 5, 1938, at 10 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under Section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice

to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before November 30, 1938.

The matter concerned herewith is in regard to a proposed reduction of the common capital stock of Green Mountain Power Corporation, a subsidiary of New England Power Association, a registered holding company, by 10,500 shares of no par value. This reduction is to be effected through surrender by New England Power Association of 10,500 shares for such purpose. Accordingly, Green Mountain Power Corporation has filed a declaration pursuant to Section 7 of the Act and New England Power Association has filed an application pursuant to Rule U-12D-1 promulgated under the Act.

Green Mountain Power Corporation has also filed an application pursuant to Section 6 (b) of the Act for exemption from the provisions of Section 6 (a) of the issue and sale of \$7,750,000 principal amount of First and Refunding Mortgage Bonds 3¾% Series due 1963, and \$1,375,000 principal amount of serial notes, 4½%. The net proceeds of such securities will be applied:

- |   |                |
|---|----------------|
| (1) To the payment on or about December 28, 1938 of an unsecured note due May 4, 1939 payable to the First National Bank of Boston.....   | \$450,000.00   |
| (2) To the redemption on or before February 1, 1939 of the First Mortgage 5% Gold Bonds, Series of 1948, due August 1, 1948, of the applicant out-standing in the principal amount of \$8,250,000, exclusive of accrued interest but including the premium of \$165,000.....  | \$8,415,000.00 |
| (3) To the payment of accrued interest on the First Mortgage 5% Gold Bonds Series of 1948, due August 1, 1948, of the applicant to the extent of the amount of interest which will accrue on such bonds from December 28, 1938 to February 1, 1939, during which period interest will also accrue on the securities to be issued..... | \$37,812.50    |

The balance of the proceeds will be used to reimburse the applicant's treasury for expenditures heretofore made for improvements, betterments, and additions to its property.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 38-3483; Filed, November 18, 1938;  
12:50 p. m.]

#### United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 18th day of November, A. D. 1938.

[File No. 43-142]

#### IN THE MATTER OF LONE STAR GAS CORPORATION, GUTHRIE GAS SERVICE COMPANY

##### NOTICE OF AND ORDER FOR HEARING

A joint and combined declaration pursuant to Section 7 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by Guthrie Gas Service Company;

An application pursuant to Rule U-12C-1, promulgated under said Act, having been duly filed with this Commission by Guthrie Gas Service Company;

An application pursuant to Rule U-12D-1, promulgated under said Act, having been duly filed with this Commission by Lone Star Gas Corporation;

It is ordered, That a hearing on such matters be held on November 22, 1938, at ten o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue, N.W., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under Section 18(c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before November 21, 1938.

The application pursuant to Section 7 of the Act filed by Guthrie Gas Service Company, a subsidiary company of Lone Star Gas Corporation, a registered holding company, is in regard to the issue and sale of the following enumerated securities:

- 4½% note, due August 1, 1953, in the principal amount of \$25,000;
- 4½% note, due August 1, 1953, in the principal amount of \$15,000.

The notes heretofore described are to be issued to the holding company in the place and stead of and are to be substituted for Guthrie Gas Service Com-

pany's 6% income demand notes dated July 2, 1934 and December 31, 1934, held by Lone Star Gas Corporation, on which there is a balance due of \$25,000 and \$15,000, respectively.

The application of Guthrie Gas Service Company, filed pursuant to Rule U-12C-1, is in regard to the acquisition and retirement of the 6% income demand notes dated July 2, 1934 and December 31, 1934, now held by Lone Star Gas Corporation, and in exchange for which the 4½% notes, due August 1, 1953, are to be exchanged.

The declaration pursuant to Rule U-12D-1, filed by Lone Star Gas Corporation, is in regard to the disposition to Guthrie Gas Service Company of the 6% income demand notes of such company now held by Lone Star Gas Corporation and which are to be exchanged for the 4½% notes due August 1, 1953.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 38-3480; Filed, November 18, 1938;  
12:50 p. m.]

#### United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 18th day of November, A. D. 1938.

[File No. 46-85]

#### IN THE MATTER OF KENTUCKY SECURITIES COMPANY

##### NOTICE OF AND ORDER FOR HEARING

An application pursuant to section 10 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on November 23, 1938, at 10 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Chas. S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors

or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before November 20, 1938.

The matter concerned herewith is in regard to the proposed acquisition by the applicant, Kentucky Securities Company, a subsidiary of Kentucky Utilities Company, a subsidiary of The Middle West Corporation, a registered holding company, of 18,120 shares of 6% Convertible Preferred stock of the par value of \$20 per share and 76,360 shares of Common Stock of the par value of \$5 per share of Southeastern Greyhound Lines, in payment and satisfaction of \$1,126,000 principal amount of notes of Southeastern Greyhound Lines now held by said applicant, all accrued and unpaid interest on said notes to date of liquidation thereof to be paid in cash and said shares of Preferred Stock to be taken at \$20 per share and said shares of Common Stock at \$10 per share.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 38-3477; Filed, November 18, 1938;  
12:49 p. m.]

#### United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 18th day of November, A. D. 1938.

[File No. 56-15]

#### IN THE MATTER OF WALNUT ELECTRIC & GAS CORPORATION

##### NOTICE OF AND ORDER FOR HEARING

An application pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on December 5, 1938, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to

any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before November 20, 1938.

The matter concerned herewith is in regard to the sale by the applicant of 547 shares of the common stock of Peoples Gas Company, a subsidiary of the applicant, that being all the capital stock outstanding to C. A. Davis, a Vice-President and affiliate of the applicant for a consideration of \$5,000.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 38-3481; Filed, November 18, 1938;  
12:50 p. m.]

#### UNITED STATES CIVIL SERVICE COMMISSION.

##### CONDITION OF THE APPORTIONMENT AT CLOSE OF BUSINESS TUESDAY, NOVEMBER 15, 1938

*Important.*—Although the apportioned classified civil service is by law located only in Washington, D. C., it nevertheless includes only about half of the Federal Civilian positions in the District of Columbia. Positions in local post offices, customs districts, and other field services outside of the District of Columbia which are subject to the Civil Service Act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment, a position in the apportioned service, the charge for his appointment continues to run against his State of original residence. Certifications of eligibles are first made from States which are in arrears.

State	Number of positions to which entitled	Number of positions occupied
IN ARREARS		
1. Puerto Rico.....	587	41
2. Hawaii.....	140	13
3. California.....	2,160	776
4. Alaska.....	23	9
5. Texas.....	2,216	892
6. Louisiana.....	799	374
7. Michigan.....	1,842	674
8. Arizona.....	166	84
9. New Jersey.....	1,337	810
10. South Carolina.....	961	381
11. Ohio.....	2,528	1,508
12. Oklahoma.....	911	555
13. Mississippi.....	765	474
14. Alabama.....	1,007	624
15. Arkansas.....	705	439
16. New Mexico.....	161	102
17. North Carolina.....	1,206	795
18. Georgia.....	1,106	739
19. Kentucky.....	955	681
20. Wisconsin.....	1,118	857
21. Tennessee.....	995	764
22. Illinois.....	2,903	2,237
23. Connecticut.....	611	486
24. Nevada.....	35	29

State	Number of positions to which entitled	Number of positions occupied	State	Number of positions to which entitled	Number of positions occupied	Net gain or loss since July 1, 1938
IN ARREARS—Continued			IN EXCESS			
25. Oregon.....	363	316	38. Massachusetts.....	1,617	1,622	+5
26. Indiana.....	1,232	1,105	39. Missouri.....	1,381	1,422	+41
27. Delaware.....	91	83	40. Washington.....	595	615	+20
28. Florida.....	558	522	41. Colorado.....	394	408	+14
29. Pennsylvania.....	3,664	3,480	42. Vermont.....	137	142	+5
30. New York.....	4,789	4,553	43. Minnesota.....	975	1,028	+53
31. Idaho.....	169	161	44. Rhode Island.....	262	279	+17
32. Kansas.....	716	700	45. North Dakota.....	259	279	+20
33. Utah.....	193	190	46. Montana.....	204	226	+22
34. Wyoming.....	86	85	47. South Dakota.....	264	301	+37
35. West Virginia.....	658	652	48. Iowa.....	940	1,064	+124
36. Maine.....	303	301	49. Nebraska.....	524	626	+102
QUOTA FILLED			50. Virginia.....	921	1,039	+118
37. New Hampshire.....	177	177	51. Maryland.....	621	1,847	+1,226
			52. Dist. of Columbia.....	185	8,753	+8,568

## GAINS

By appointment.....	277
By reinstatement.....	0
By transfer.....	15
By correction.....	1
Total.....	293

## LOSSES

By separation.....	43
By transfer.....	46
Total.....	89
Total appointments.....	47,455

Note.—Number of employees occupying apportioned positions who are excluded from the apportionment figures under Section 2, Rule VII, and the Attorney General's opinion of Aug. 25, 1934, 14,408.

By direction of the Commission.

L. A. MOYER,

Executive Director and Chief Examiner.

[F. R. Doc. 38-3473; Filed, November 17, 1938; 3:40 p.m.]

